

A Regular Meeting of the City Council was held in the Council Chambers with Councillor Eaniri presiding. The meeting was called to order at 8:05pm with eleven members being present.

In City Council, December 28, 2015

Councillor Cruise asks for a moment of silence for Peter Marciano, former councillor and a great Brocktonian.

Council President Eaniri introduces the new council members that are in the audience; Anne Beauregard, Jack Lally and Winthrop Farwell, II

APPOINTMENTS

- 631** Of Arthur McNulty to the rank of Sergeant in the Brockton Police Department

Councillor Sullivan motioned to move under suspension of the rules on item **#631** and was properly seconded. The motion carried by a hand vote. Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative. Councillor Sullivan motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

Councillor Sullivan motioned to take collectively and move under suspension of the rules on items **#629 and 630** and was properly seconded. The motion carried by a hand vote.

- 629** Reappointment of John R. Oleson of 1015 North Main Street, Brockton, MA as a Constable in the City of Brockton for a term of three (3) years

- 630** Reappointment of Katherine M. Asiaf, of 5 Tarkin Hill Lane, Bridgewater, MA as a Constable in the City of Brockton for a term of three (3) years

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative. Councillor Sullivan motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

LATE FILES

Councillor Studenski motioned to accept 12 late file appointments and move under suspension of the rules and was properly seconded. The motion carried by a hand vote.

- 617** Appointment of Johnny R. Barnes of 245 Pine Grove Drive, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.

- 618** Appointment of Robert J. Orcutt of 7 Litchfield Drive, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.

- 619** Appointment of Joseph R. Thompson of 80 Mercedes Road, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.

- 620** Appointment of Ryan E. Costa of 11 Hal Avenue, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.

- 621** Appointment of Christopher Anderson of 49 Woodside Avenue, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.

- 622** Appointment of Zachary S. Davis of 50 Centre Street, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.

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LATE FILES (cont'd)

- 623** Appointment of Francis Madden of 358 Hillberg Avenue, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.
- 624** Appointment of Jordan F.Duguay of 66 Linnea Avenue, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.
- 625** Appointment of Christopher J. Capozzoli of 31 Arlington Street 2R, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.
- 626** Appointment of Jonathan Colon of 44 West Street, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.
- 627** Appointment of Brian E. McLean of 55 Louis Street, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.
- 628** Appointment of Ryan J. O’Keefe of 146 Lynn Road, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative. Councillor Studenski motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

The Council President calls a five minute recess

Back in session

REPORTS

- 620** Of the Real Estate Committee for its meeting of December 21, 2015
- Accepted and placed on file
- 621** Of the Finance Committee for its meeting of December 21, 2015
- Accepted and placed on file

COMMUNICATIONS

- 622** From the Executive Director of PERAC furnishing the City Council with the amount to be appropriated for the retirement system for Fiscal Year 2017 which commences July 1, 2016, totaling \$20,072,463.
- Accepted and placed on file
- 623** From the Brockton Water Commission Chairman stating that at the December 14, 2015 meeting the Brockton Water Commission reviewed the Letter of Intent “LoI” dated August 6, 2014 on the sale of Aquaria Desalination Plant. The Water Commission voted on a motion to approve that the Mayor, City Council, CFO, and the Water Commission to negotiate the Sale and Purchase Agreement for the Aquaria Desalination Plant.
- Accepted and placed on file
- 624** From the Mayor recommending that the city council amend the order which was first read in the city council at its meeting of December 14, 2015, and is now on the agenda as item 8 for the Finance Committee of December 21, 2015, regarding the state’s grant to renovate Keith Park. The amendment is necessary in order to comply with the state’s request to fully commit all sources of funding for the project, both the state and city match at this time. The grant is for a total of \$231,000, but the total project is for \$330,000, with the balance of \$90,000 made

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COMMUNICATIONS

available by his decision for it to be provided over two years through the city's federal Community Development Block Grant funding.

Accepted and placed on file

- 625** From the CFO In Accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of \$231,000 from the Executive Office of Environmental Affairs through the Parkland Acquisition and Renovation of Communities (PARQ) grant fund to Keith Park Renovation Fund, and further, that the City Council acknowledges the City's match of \$99,000 in the form of Community Development Grant Funds through the Brockton Redevelopment Authority.

Accepted and placed on file

UNFINISHED BUSINESS

- 609** Ordered: That the DPW Commissioner is authorized to grant a five (5') foot wide use easement over a portion of Pearl Street in Brockton, Plymouth County, Massachusetts for the use by an abutting property shown as Plot 91 on City of Brockton assessors map 7, (1280 Belmont Street) owned by Rock Meadow LLC, 1063 North Main Street, Brockton, MA 02301, Philip C. Nessralla, Jr., Manager. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; eleven members present and all voting in the affirmative.

- 569** Ordered: That the restriction at Plot 301 Main Street (Parcel ID 105-016) valued at \$1,430 shall be a non-build able lot. (FAVORABLE, AS AMENDED)

The amendment passed by a hand vote.

Adopted, as amended, by a roll call vote taken by "yeas" and "nays"; eleven members present and all voting in the affirmative.

- 610** Ordered: In Compliance with the provisions of the Election Laws, notice is hereby given that the Special State Primary Election will be held on Tuesday February 2, 2016 and that the Special State Election will be held on Tuesday, March 1, 2016. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; eleven members present and all voting in the affirmative.

- 611** Ordered: In Compliance with the provisions of the Election Laws, notice is hereby given that the Presidential Primary will be held on Tuesday March 1, 2016. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; eleven members present and all voting in the affirmative.

- 613** Appropriation of \$87,000
From: Stabilization Fund
To: Board of Elections
Personal Services other than Overtime \$70,000
Personal Services Overtime \$2,000
OM Purchase of Services \$15,000
(In order to fund extra costs for financing elections on Feb. 2, 2016 and March 1, 2016) (FAVORABLE)

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UNFINISHED BUSINESS (cont'd)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 612** Appropriation of \$6,098.66
From: Massachusetts Association of Health Boards (MAHB), Plymouth County Region 5 Emergency Coalition Grant Fund
To: City of Brockton Board of Health Massachusetts (MAHB) Medical Reserve Corp Grant Fund. (These grant monies are for the purpose of building the level of volunteers for local Medical Reserve Corps) (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 614** Appropriation of \$48,000
From: Ambulance Receipts
To: Fire Department-Capital
(These funds will be used to purchase an incident Command Vehicle for the Chief/Superintendent of Fire Alarm, with the installation of the required equipment to include: VHF and UHF radios, Visual and Audible warning systems, and proper markings. This vehicle would be used for responses to any and all incidents and daily matters, requiring the presence of the Brockton Fire Chief both with the City and also surrounding communities) (FAVORABLE)

Councillor Asack stepped down.

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councillor Asack absent.

Councillor Asack stepped back in.

Councillor Sullivan stepped down.

- 615** Ordered: That the Mayor be authorized to execute a Development Agreement between the City of Brockton and **ION the Ball LLC**, a Delaware Limited Liability Company, having a usual place of business at Silversmith Park, 456 Quinnipiac Street, Building I, Third Floor, Wallingford, Connecticut 06492, for an electronic advertising board with digital copy, hereinafter a **“Digital Advertising Board”** to be located at 59 Mill Street in the City of Brockton, Massachusetts. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councillor Sullivan absent. Councillor DeNapoli motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 616** Ordered: 1. That the Mayor of Brockton be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the Mayor of Brockton be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Brockton Redevelopment Authority; and
3. That this resolution shall take effect upon passage. (FAVORABLE, AS AMENDED)

Councillor Sullivan stepped back in.

The amendment passed by a hand vote.

Adopted, as amended, by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

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UNFINISHED BUSINESS (cont'd)

Councillor DuBois motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

Presentation of Citations

Council President Eaniri stated that the clerk to the council would read citations for the three outgoing councilors: Dennis DeNapoli, Michelle DuBois and Jass Stewart.

Councillor DuBois stated that as tonight is her last meeting she takes a moment to thank her fellow councilors for their commitment. She thanked everyone and the City employees as well.

Councillor Stewart thanked the council and to certain individuals that impacted his career, such as former councilors Todd Petti and Tom Brophy, Councillor Paul Studenski and Councillor Monahan,

Councillor DeNapoli thanked his family for their support for the last 16 years that he was on the council. He thanked his fellow council members and late councilors.

President Eaniri reflects on the three outgoing councilors.

State Senator Brady and State Representative Cronin presented citations as well to the outgoing councilors.

The Council President stated that on Monday January 4, 2016, the council should be there by 9:30am

Councillor Sullivan thanked Councillor Eaniri for his work as Council President.

Election of Council President for the year 2016

Adjourned at 8:45pm

CAUCUS...

CAUCUS...

CAUCUS...